



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A01446
KC/

In re application of:
Thomas Richard Tepe

Serial No.: 10/665,329 : Group Art Unit: 1714

Filed: September 18, 2003 : Examiner: Vickey M. Ronesi

For: Thickener for High-Surfactant Aqueous Systems

DECLARATION UNDER 37 C.F.R. § 1.132

I, Thomas Richard Tepe, of 627 General Armstrong Road, King of Prussia, PA, declare and say as follows:

1. I have been employed at the Rohm and Haas Company since 1997. I have a Bachelor of Science degree in Chemical Engineering and a Bachelor of Science degree in Chemistry, both from the University of California, Santa Barbara (1992), and a Ph.D. in Chemical Engineering from the University of Minnesota (1997). I have been involved with our Consumer and Industrial Specialties business since 2001. My job responsibilities have included formulation and testing of surfactant-containing consumer products. I am currently a Senior Scientist.

2. I have been the coinventor of three U.S. patent applications filed during my tenure at Rohm and Haas Company.

3. As a co-inventor of the present invention, I am thoroughly familiar with its subject matter and background. I have read the Official Action dated

February 24, 2005 in the above-mentioned US patent application (Serial No. 10/665,329).

4. In January, 2005, I supervised preparation of a formulation containing 22.3% surfactant, as described in Examples on pages 7-9 of the present application, but with Aculyn™ 28 rheology modifier as the copolymer. The viscosity and clarity of this composition was measured as described in the application. The results for the Aculyn 28 composition are presented in the following table, together with the first three rows from Table 1 of the present application.


Rheology Modifier	Viscosity @ 0.6 d/cm ² (no clay)	Viscosity @ 0.6 d/cm ² (0.08%clay)	Viscosity Change, %	Viscosity @ ca. 1000 d/cm ² (no clay)	Viscosity @ ca. 1000 d/cm ² (0.08% clay)	Viscosity Change, %	NTU with clay
Aculyn 28	58.7	68.0	15.8	19.4	22.1	13.9	379
70EA/20AA/10Lipo1	78.1	173.1	121.6	25.8	34.0	31.8	37.3
60EA/25MAA/5AA/ 10Lipo1//0.2DAP// 0.1nDDM	62.6	125.8	101.0	20.6	26.4	28.2	53.1
60EA/10MAA/20AA/ 10Lipo1//0.2DAP// 0.1nDDM	119.0	206.5	73.6	23.3	26.9	15.5	95.3

It is evident from the data that Aculyn 28 does not provide, in a high-surfactant composition, the desired increase in viscosity at low shear rates (see % viscosity change in the fourth column). It increases viscosity only 15.8%, compared with increases of 121.6, 101.0 and 73.6% for three copolymers of this invention.

Moreover, the Aculyn 28 composition does not have an acceptable clarity, as shown by the NTU measurement of 379, as compared with much lower turbidity values for the other polymers.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be

true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

 4/4/05
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Date: April 4, 2005